



"The City With a Heart"

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice Chair*
Mary Lou Johnson
Perry Petersen
Kevin Chase
Joe Sammut
Bob Marshall, Jr.

MINUTES PLANNING COMMISSION MEETING

March 20, 2012

7:00 p.m.

Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno

CALL TO ORDER at 7:01 pm.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Mishra	X	
Vice Chair Biasotti	X	
Commissioner Sammut	X	
Commissioner Marshall	X	
Commissioner Petersen		X
Commissioner Chase		X
Commissioner Johnson	X	

STAFF PRESENT:

Planning Division: Community Development Director: Aaron Aknin
Associate Planner: Laura Russell
Assistant Planner: Matt Neuebaumer
Contract Associate Planner: Tony Rozzi
Recording Secretary: Shauna Williams

Pledge of Allegiance: Commissioner Marshall

1. Approval of Minutes – February 21, 2012

Motion to Approve Minutes of February 21, 2012 Planning Commission meeting.

Johnson/ Biasotti

Chair Mishra: I would like to make a correction my comments on page 3. I would like to correct the sentence to state, "I disagree with the discussion of limitation on the number of children allowed in the residence and I would like to move forward."

VOTE: 5-0
AYES: All Commissioners Present.
NOES: None

ABSTAIN: None

2. Communication

E-Packets are available on line at www.sanbruno.ca.gov

Draft Transit Corridor Plan is available on line at www.planbruno.org

Rebuild Crestmoor website is available at www.rebuildcrestmoor.org

3. Public Comment - None

4. Announcement of Conflict of Interest

5. Public Hearings

A. 237 Acacia Avenue

Request for a Use Permit to allow a large family day care operation in a single-family residential zone per Sections 12.84.200 and 12.96.060.C.6 of the San Bruno Zoning Ordinance. Nora Dowd (Applicant) Martin and Nora Dowd (Owners). UP12-002.

Associate Planner Russell: Entered staff report.

Staff recommends that the Planning Commission approve Use Permit 12-002 based on the Findings of Fact 1-4, subject to Conditions of Approval (1-25).

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Johnson: I would like clarification on condition of approval #4. I feel the vehicle should be parked in the garage while parents are picking up the children rather than a half hour after business hours. The property owner's vehicle should not be in the driveway during pick-up times.

Associate Planner Russell: Staffs' intent is that they park their vehicle in the garage for 30 minutes prior to opening in the morning and 30 minutes after closing in the evening. The vehicle would be parked in the garage from 7:30 a.m. till 6:00 p.m.

Commissioner Johnson: Okay, I didn't interpret it that way.

Commissioner Marshall: Maybe the language should emphasize the "and until 30 minutes after business hours," because the intent is to have the car parked in the garage all day, correct?

Associate Planner Russell: Correct. I can clarify the language.

Chair Mishra: Can you confirm that all of the photos in the staff report were taken of the same property?

Assocaite Planner Russell: Yes, they were taken on two different days by staff.

Public Comment Opened.

Nora Dowd; Applicant: I have operated my daycare for five years now. I currently wish to expand my small family daycare to a large family daycare. My main reason to expand is to be able to care for my grandchild without any loss of income. I would also be able to take on a few more children as well. I have never received any complaints from my neighbors about the parents dropping off and picking the children in the past five years.

Commissioner Johnson: I had the opportunity of visiting your site today and noticed that you have a side gate entrance to your home. Do you ever use that entrance?

Nora Dowd; Applicant: I use the side entrance when I take the children outside because I wish not to walk them across the deck. The parents do not use that entrance for drop-off or pick-up.

Commissioner Johnson: Sometimes when daycares expand to a larger capacity, it may take the parents longer to drop-off or pick-up their kids; for reasons such as, signing in and out, getting a behavior report or small talk. It might be best to utilize that side entrance if you notice parents taking longer, that way we can limit parking issues.

Nora Dowd; Applicant: I create a handwritten detail log for each child on a daily basis and give it to the parents during the pick-up time. This has shown to eliminate parents' conversations and makes for a quick drop-off and pick-up. I also email the parents to keep the lines of communication open.

Commissioner Johnson: A large ratio of children requires more employees. Do you plan on hiring another employee?

Nora Dowd; Applicant: I currently have an employee that covers the 6:1 ratio. I do not plan on taking on more than 12 children.

Public Comment Closed.

Commissioner Johnson: During my site visit I did not observe any type of plumbing business activity or evidence of there being another business operation out of the residence. I believe the environment of this location is safe and accessible.

Chair Mishra: In Exhibit C of the staff report, in the garage it indicates a walk-tough to the yard. When a car is parked there is the path still accessible?

Commissioner Johnson: Yes, when I observed the area the path would be accessible with a vehicle parked in the garage.

Motion to approve Use Permit 12-002 based on Findings of Fact (1-4) and Conditions of Approval (1-25) with a clarification to condition #4.

Commissioner Johnson/ Sammut

VOTE: 5-0
AYES: All Commissioners Present.
NOES: None
ABSTAIN: None

Chair Mishra advised of a 10-day appeal period

FINDINGS OF FACT

1. The use permit to operate a large family day care home is for a site located in a residential district. The use permit to operate a large family day care home will not, with the Conditions of Approval, result in undue negative impacts upon the neighborhood vicinity in terms of traffic, parking, and noise.
2. The operator of the facility will provide an area on the lot for parking or stopping of vehicles to allow children to be picked up or dropped off.
3. The proposed facility complies with applicable off-street parking standards of the zoning ordinance since the subject property contains adequate short-term parking for parents/guardians and dedicated parking for the applicant and her staff.

4. With the Conditions of Approval and pending final inspection, the proposed facility complies with applicable building and fire code provisions, and with the applicable building standards adopted by the State Fire Marshal.

CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7042

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 12-002 shall not be valid for any purpose.
2. Applicant must obtain a business license through the Finance Department.
3. The request for a use permit for a large family daycare home at 237 Acacia Avenue shall operate according to plans and statement approved by the Planning Commission on March 20, 2012, labeled Exhibits C and D except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. Applicant shall park their personal vehicle in the garage thirty (30) minutes before daycare hours, all day while the daycare is in operation, and until thirty (30) minutes after the daycare closes.
5. Current and future employees that drive to work shall park in the driveway. If the employee's vehicle significantly encroaches into the sidewalk, the applicant shall revise the parking configuration to the satisfaction of the Community Development Director.
6. Parents and guardians dropping off and picking up children from the home must park on the driveway when picking up and dropping off their children. In the event the driveway is not available, the parents shall use the street parking area in front of the home. Parents and guardians shall obey all traffic laws and not double park at any time. The applicant shall update the written policies of the daycare operation to state the drop off and pick up rules.
7. Children shall be supervised at all times when outdoors to control noise levels.
8. The applicant shall obtain a license from the State of California to operate a large family day care.
9. The number of children shall be limited to a maximum of fourteen (14) at any one time, including any children that live at the home.
10. Applicant's household shall comply with all aspects of the San Bruno Municipal Code related to the home occupation plumbing business. Non-resident employees of the plumbing business shall not be allowed to report to work at the subject site.
11. The applicant shall remove obstructions in the garage to ensure the maximum free and clear area for parking. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space or as general storage. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Fire Department - (650) 616-7096

12. Please contact the San Bruno Fire Department to conduct a site inspection once all Conditions of Approval have been met.
13. All licenses and permits shall be kept and posted in a conspicuous location.
14. A portable fire extinguisher having a minimum 2A100BC rating shall be mounted in an accessible location no higher than five (5) feet from the floor. The fire extinguisher is required to be visually inspected on a monthly basis. The fire extinguisher shall be serviced annually by a State Fire Marshal-licensed concern and bear a current service tag.
15. A smoke detector shall be located in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. Smoke detectors shall be tested monthly. Battery operated detectors must have batteries replaced as needed, not to exceed a period of one (1) year. Smoke detectors shall be installed per manufacturer's installation guidelines and the smoke detector shall not be in service for a period of time to exceed ten (10) years from the date of manufacture.
16. Extension cords shall not be used in place of permanent wiring and shall be used only with portable appliances. Multi-plug adapters, multi-plug extension cords, cube adapters, and other strip plugs and other devices shall not be used.
17. Every story or basement shall be provided with two (2) exits that are remotely located from each other.
18. Obstructions are not permitted in aisles, corridors, stairways and exits.
19. Side gates that are part of the exit path shall be provided with single operation hardware. An example is a string with a handle (at children's level) that is attached to the normal gate latch.
20. A means of exit shall not pass through garages, storerooms, closets or spaces used for similar purposes.
21. Flammable and combustible liquids in quantities in excess of ten (10) gallons shall be stored in a flammable liquid locker or cabinet. Flammable liquids that do not exceed ten gallons shall be stored in approved containers. All hazardous materials shall be stored in an area inaccessible to children.
22. The heating system shall be capable of maintaining a temperature of sixty-eight (68) degrees Fahrenheit.
23. A thirty-six (36) inch clearance shall be maintained around any heat producing equipment or appliances.
24. An emergency evacuation plan shall be developed, reviewed and posted on-site.
25. Fire drills shall be conducted every six (6) months and the records shall be maintained on-site and available for review.

6. Discussion

- A. City Staff Discussion:** Commissioners Sammut and Marshall for the April 12, 2012 Architectural Review Committee meeting. Staff will contact other Commissioners for the third slot. Commissioner Johnson as a back up.

The Cedar Mills project for 14 single-family homes is moving fast. The 3 model homes are complete and available for viewing soon. Staff is almost ready to sign off on the Certificate of Occupancy for the model homes. Lehnar is also in the first stages of constructing six other homes.

CD Director Akin: Glenview/Crestmoor Update. As you know there were thirty-eight homes destroyed in the fire. The first family moved back into their home about two weeks ago, and we estimate another four families will move back into their homes this month. There is a total of 15 homes under construction right now and another 4 that should be breaking ground fairly soon. I encourage you to take a look at the new website www.rebuildcrestmoor.org for more information.

The Treetops construction is moving rapidly and showing excellent progress in such a short time. I suggest you drive up there and view the construction work.

Commissioner Marshall: How about the distillery spot [271 El Camino Real]?

CD Director Akin: Laura has been in contact with the property owners' Architect and they have turned in conceptual plans to renovate it into a restaurant. Since the renovation project was bought to the Commission a few years back, the property has since changed ownership. The new owners are proposing a more moderate renovation that will most likely be brought to Architectural Review.

- B. Planning Commission Discussion:**

Commissioner Biasotti : I don't want anyone to think I have been playing video games all night. I have been using my iPhone to view the staff report and packet online and it has worked very well for me tonight.

Chair Mishra: I wanted to find out more information on shared solar power. I understand that individual homes can use solar panels and sell back energy to PG&E. I came across information that a property owner can actually sell solar energy to their neighbors. Does the City offer any assistance with the power sharing agreement?

CD Director Akin: That is something I would have to look into. I have heard of a solar farm for a neighborhood to buy into. I believe Tony would be able to find out the right information and report back to you.

Chair Mishra: My personal reason for inquiring about this is because I feel the public with have a negative reaction on how PG&E is proposing their upgrades and I would like to provide the residents with other options.


7. Adjournment

Meeting was adjourned at 7:23 pm



Aaron Akin

Secretary to the Planning Commission
City of San Bruno



Sujendra Mishra, Chair

Planning Commission
City of San Bruno

Planning Commission Meeting 3/20/12

NEXT MEETING: April 17, 2012